IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION Nos.4600 of 1992 & 9081 of 1993

WRIT PETITION No: 4600 of 1992

Between:

C.G.K. Murthy, S/o. Late C. Lakshminarayana,

Aged 42 years, Occu: Officer in MMGS-II,

Andhra Bank, Inspection Department,

R/o.H.No.29-02-12, Ramamandiram Road,

Governorpet, Vijayawada.

..... PETITIONER

AND

1. Andhra Bank, Hyderabad,

rep., by its Chairman &

Managing Director,

Sultanbazar, Hyderabad.

2. Ch. Raja Rao, S/o. Not Known,

Occu: General Manager, Andhra Bank,

Central Office, Sultanbazar,

Hyderabad.

3. S.K. Jain, S/o. Not known,

Occu: Deputy General Manager,

Andhra Bank, Central Office,

Sultanbazar, Hyderabad.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ declaring that the selection for the post of Middle Management Grade Scale-III in the Selection Committee held on 29.06.1991 and subsequent dates is null and void and arbitrary and illegal and to direct the respondents to promote or consider the petitioner's case for promotion on the basis of his performance appraisal reports, qualifications and Rural experience.

Counsel for the Petitioner: MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: MR.S.UDAYACHALA RAO & MUJIB KUMAR S.

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WRIT PETITION NO : 9081 of 1993

Between:

C.G.K. Murthy, S/o. Late C. Lakshminarayana,

Aged 43 years, Occu: Officer in MMGS-II,

Andhra bank, Inspection Department,

R/o.H.No.29.02.12, Ramamandiram Road,

Governorpet, Vijayawada-520 002.

..... PETITIONER

AND

1. Andhra Bank, Hyderabad, rep., by its

Chairman & Managing Director, Hyderabad.

2. Government of India, rep., by its

Secretary, Ministry of Finance,

Department of Economic Affairs,

(Banking Division) Jeevandeep Buildings,

Parliament Bhavan, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other suitable writ, order or direction declaring the Circular No.057, Ref.No.3/9, dated 19.05.1993, dispensing with the requirement of the Rural service for promotion to Middle Management Grade-III and calling for interviews of the candidates based upon seniority to be void;

b) to declare the Circular No.56, Ref.No.3/2, dt.25.4.1991 of the 1st respondent allocating 40% of marks for interviews without any guidelines to be void;

c) to declare the said Circular allocating 50% of marks for performance appraisal report without specifying the nature and mode of the appraisal as vague and illegal;

d) to declare that the 2nd respondent has no power to issue instructions in violation of the regulations and to declare regulation 17 of the 1st respondent as void in so far as it leaves scope for executive instructions of the 1st respondent to govern the promotions as void;

e) to direct the respondents to notify the vacancies afresh year wise and fill them from amongst the eligible list of officers in accordance with the valid rules or guidelines and to fill up the same.

Counsel for the Petitioner: MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: MR.S.UDAYACHALA RAO & MUJIB KUMAR S.

The Court made the following:

THE HON'BLE SRI JUSTICE G. BIKSHAPATHY

WRIT PETITION Nos.4600 of 1992 & 9081 of 1993

ORAL COMMON ORDER:-

Learned counsel for the petitioner submits that the matter in these Writ Petitions have become infructuous.

Recording the same, the Writ Petitions are dismissed as infructuous. No costs.

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G. BIKSHAPATHY, J.

Date: 17/02/2005

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To

1. The Chairman & Managing Director, Andhra Bank, Sultan Bazar, Hyderabad.

2. The Secretary, Government of India, Ministry of Finance,

Department of Economic Affairs, (Banking Division) Jeevandeep Buildings, Parliament Bhavan, New Delhi.

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